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Environmental Protection Agency

January 22, 1981

Mr. William Seltzer
Senior Technical Advisor
Enforcement Programs
Illinois Environmental Protection Agency
2200 Churchill Road
Springfield, Illinois 62706

Re: Dead Creek Investigation

Dear Bill:

Pursuant to your December 22, 1980 letter, I will attempt to summarize what we have done so far and where I think we ought to be heading on the Dead Creek/Sauget situation.

As you know, this office has been attempting to identify the parties connected to the dumping/discharging at Dead Creek, largely through traditional investigation modes. We have been able to compile fairly solid cases against a couple of sources, yet need to expand that base substantially.

Our best case at this point involves Harold Waggoner & Co., whose tank truck dispatching and maintenance activities were for years conducted adjacent to the creek at Queeny Avenue. Through old Agency investigations and recent interviews by our staff of Waggoner himself and some former employees, we now have solid evidence that Waggoner & Co. is responsible for at least part of the total volume and variety of materials found in the creek. However, Waggoner's operation does not go back far enough to fully account for what's there.

We also have come upon some good information about direct sewer discharges to the creek, near Queeny Avenue, by Midwest Rubber Reclaiming Co. Information from a former plant superintendent there shows that up until perhaps 20 years ago Midwest had a sewer outfall to the creek. Materials discharged included oils and rubber residues, as well as a fibrous residue. This residue was digested in Midwest's processes by either a

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caustic (alkali) or zinc (acid), and when it dried formed a spongy material which may explain some of what's found in the creek today.

Along those lines, it will be crucial to the case to tie in some of the major local industries, to create a financial base sufficient to absorb the heavy clean-up costs. It's a widely held opinion that Monsanto, Cerro Copper (nee Lewin Metals) and possibly others at one time had direct discharges to the creek, at least in the form of relief manholes and overflows. I have indeed seen that 1956 sewer map of the Krummrich plant and it confirms many of our suspicions. However, I believe we need more evidence before confronting them. I have been attempting to track down engineers, contractors, etc., anyone who might be familiar with Monsanto's or Cerro's sewer system, what parts of the plant the lines were connected to, when they were used, etc. Unfortunately, DWPC files are of no help that far back, and thus this information pretty much has to be generated from scratch. Any help, suggestions, etc. you could give me here would be greatly appreciated. (I think Mauzy may be of some help here.)

Also, we are actively seeking information on individual haulers or others who may have dumped wastes at the creek over the years. Identifying all such persons seems quite impossible. However, the more we get, the better in terms of relief available to us, and more importantly may steer us to evidence linking certain haulers to area industries that could also be held liable. We have begun an arrangement with DLE's criminal investigation unit, which is supplying an agent to do the actual legwork in tracking down leads. However, the time DLE has been able to give us so far has been minimal, as have the results, a situation I intend to get corrected shortly.

The Agency and I have yet to work out a system whereby I receive copies of all lab reports and analyses and other technical data, as well as other pieces of information that the Agency may come upon. I need to coordinate this case through one person at the Agency to ensure that all people working on the case have all the information available. I do not believe that as yet I have all the test results, etc. concerning the creek itself, therefore my judgment as to how the case should proceed is not totally well-informed. By the same token, much of the information generated by this office has not yet been shared with the Agency. I think a meeting might be in order to compare and share files and ideas, in addition to regularly copying each other on things.

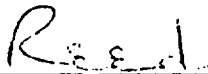
Finally, this office remains concerned and ready to

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take action in regard to the discovery of other hazardous waste (burial) sites in the Sauget - E. St. Louis area, particularly the one adjacent to the creek at Queeny Ave. I would like to see any and all field memos, lab sheets and the like done by the Hydrogeology Unit or others in testing this site, as well as any other information the Agency may have.

Hopefully, we can come up with enough additional evidence at least to file a civil action, which should give us access to much more, needed information. Please let me know when we all might be able to get together.

Sincerely,



REED W. NEUMAN
Assistant Attorney General
Environmental Control Division
Southern Region

RWN:ds